



U.S. Department of Justice

United States Attorney
Southern District of New York

Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278

February 26, 2025

REQUEST TO BE FILED UNDER SEAL

BY EMAIL

The Honorable Paul G. Gardephe
United States District Court Judge
Southern District of New York
40 Foley Square
New York, New York 10007
GardepheNYSDChambers@nysd.uscourts.gov

Re: **United States v. Muhammad Shahzeb Khan, a/k/a "Shahzeb Jadoon,"**
25 Cr. 63 (PGG)

Dear Judge Gardephe:

The Government writes to seek guidance from the Court as to the docketing of certain entries in the above-captioned matter.

As set forth in the Government's letter earlier this evening, on February 19, 2025, the Government presented Indictment 25 Cr. 63 (PGG) (the "Indictment") to a Grand Jury sitting in this District (the "Grand Jury"), which returned the Indictment. See Dkt. 4 (unredacted Indictment), 5 (redacted Indictment). Subsequently, the Government learned that, due to an inadvertent mistake, 15 grand jurors, rather than the required quorum of 16 grand jurors, were present when the Government originally presented the Indictment on February 19, 2025. See Fed. R. Cr. Pr. 6(a)(1) ("A grand jury must have 16 to 23 members"). Earlier today, when the Grand Jury reconvened with 18 members present—meeting the quorum requirement—the Government re-presented the same Indictment to the Grand Jury, which returned the Indictment.

The Indictment returned today, as well as the related arrest warrant, have not yet been docketed. The Clerk's Office has asked the undersigned Assistant United States Attorneys to seek the Court's guidance with respect to the docketing of these materials. The Government recommends that today's Indictment and related arrest warrant be docketed underneath the current entries already appearing on the docket (including the Indictment returned on February 19, 2025), and be described as a "Corrected Indictment" and "Corrected Arrest Warrant."

MEMO ENDORSED

The later indictment and arrest warrant will be docketed as set forth in this letter. As with the Government's earlier February 26, 2025 letter, this letter will remain sealed until five days after the defendant's arrest. At that point -- if the Government seeks continued sealing -- it will show cause why the circumstances regarding the lack of a quorum should not be disclosed to defendant.

SO ORDERED:

Paul G. Gardephe, U.S.D.J.

Dated:

Fed. R. Cr. Pr. 6(a)(1)

Feb 28, 2025

Finally, because this letter discloses details of matters occurring before a grand jury, pursuant to Rule 6(e)(6) of the Federal Rules of Criminal Procedure, the Government respectfully requests that this letter be maintained under seal.

Respectfully submitted,

MATTHEW PODOLSKY
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By: /s/
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